

**RULES
OF
TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH**

**CHAPTER 0800-01-06
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS FOR CONSTRUCTION**

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0800-01-06-.01 DEFINITION. As used in this chapter, unless the context clearly otherwise requires:

- (1) "Construction work" means work for construction, alteration, and/or repair including painting and decorating, erection of new electric transmission and distribution lines and equipment, and the alteration, conversion, and improvement of existing electric transmission and distribution lines and equipment.

Authority: §§4-3-1411, 50-3-201, and 50-3-202. **Administrative History:** Original rule filed March 31, 1983; effective June 15, 1983. Amendment filed November 25, 1983; effective February 13, 1984. Repeal and new rule filed January 11, 2002; effective May 31, 2002.

0800-01-06-.02 ADOPTION AND CITATION OF FEDERAL STANDARDS.

- (1) The federal occupational safety and health standards adopted by the Commissioner of Labor and Workforce Development in this chapter shall be cited using the designation in Title 29, Code of Federal Regulations, Part 1926, i.e., 29 CFR 1926 .50(a), 29 CFR 1926.651(c)(1)(ii), etc. Where adoption to the current Title 29, Code of Federal Regulations, Part 1926, is an exception, the citation shall be to 29 CFR 1926 as published in the Federal Register or to the appropriate rule in this chapter. See Rule 0800-01-06-.03 for exceptions.
- (2) The Commissioner of Labor and Workforce Development adopts the federal occupational safety and health standards codified in Title 29, Code of Federal Regulations, Part 1926, as of January 1, 2009 except as provided in Rule 0800-01-06-.03 of this chapter.

Authority: T.C.A. §§4-3-1411, 50-3-103, and 50-3-201. **Administrative History:** Original rule filed March 31, 1983; effective June 15, 1983. Amendment filed November 25, 1983; effective February 13, 1984. Amendment filed August 13, 1999; effective December 29, 1999. Amendment filed March 27, 2001; effective July 30, 2001. Repeal and new rule filed January 11, 2002; effective May 31, 2002. Amendment filed September 13, 2002; effective January 28, 2003. Amendment filed November 25, 2002; effective March 28, 2003. Amendment filed May 14, 2003; effective September 26, 2003. Amendment filed November 13, 2003; effective March 29, 2004. Amendment filed April 21, 2004; August 27, 2004. Amendment filed September 7, 2004; effective January 28, 2005. Amendment filed February 16, 2005; effective June 28, 2005. Amendment filed September 12, 2005; effective January 27, 2006. Amendment filed April 26, 2006; effective August 28, 2006. Amendment filed November 16, 2006; effective date March 30, 2007. Amendment filed April 5, 2007; effective August 28, 2007. Amendment filed October 17, 2007; effective February 28, 2008. Amendment filed February 21, 2008; effective June 27, 2008. Amendment filed September 22, 2008; effective January 28, 2009.

0800-01-06-.03 EXCEPTIONS TO ADOPTION OF FEDERAL STANDARDS IN 29 CFR PART 1926.

- (1) The Commissioner of Labor and Workforce Development does not adopt the following federal occupational safety and health standards:
 - (a) 29 CFR 1926.1 Purpose and scope.
 - (b) 29 CFR 1926.2 Variances from safety and health standards.
 - (c) 29 CFR 1926.3 Inspections - right of entry.
 - (d) 29 CFR 1926.4 Rules of practice for administrative adjudications for enforcement of safety and health standards.

Authority: T.C.A. §§4-3-1411 and 50-3-201. **Administrative History:** Original rule filed March 31, 1983; effective June 15, 1983. Repeal and new rule filed August 13, 1999; effective December 29, 1999. Amendment filed November 30, 2000; effective March 30, 2001. Amendment filed March 27, 2001; effective July 30, 2001. Repeal and new rule filed January 11, 2002; effective May 31, 2002.

0800-01-06-.04 REPEALED.

Authority: T.C.A. §50-3-201. **Administrative History:** Original rule filed March 31, 1983; effective June 15, 1983. Repealed and new rule filed August 13, 1999; effective December 29, 1999. Repeal filed January 11, 2002; effective May 31, 2002.